

SCSL - 2003 - 01 - I
7 MARCH 2003

4
MAR 2003
17.00 hrs.

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL - 03 - I

THE PROSECUTOR

Against

CHARLES GHANKAY TAYLOR also known as
CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR



INDICTMENT

The Prosecutor, Special Court for Sierra Leone, under Article 15 of the Statute of the Special Court for Sierra Leone (the Statute) charges:

**CHARLES GHANKAY TAYLOR also known as
(aka) CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR**

with **CRIMES AGAINST HUMANITY, VIOLATIONS OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II and OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW, in violation of Articles 2, 3 and 4 of the Statute as set forth below:**

THE ACCUSED

1. **CHARLES GHANKAY TAYLOR aka CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR (the ACCUSED)** was born on or about 28 January 1948 at Arthington in the Republic of Liberia.

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GENERAL ALLEGATIONS

- 2. At all times relevant to this Indictment, a state of armed conflict existed within Sierra Leone. For the purposes of this Indictment, organized armed factions involved in this conflict included the Revolutionary United Front (RUF), the Civil Defence Forces (CDF) and the Armed Forces Revolutionary Council (AFRC).
- 3. A nexus existed between the armed conflict and all acts or omissions charged herein as Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II and as Other Serious Violations of International Humanitarian Law.
- 4. The organized armed group that became known as the RUF, led by FODAY SAYBANA SANKOH aka POPAY aka PAPA aka PA, was founded about 1988 or 1989 in Libya. The RUF, under the leadership of FODAY SAYBANA SANKOH, began organized armed operations in Sierra Leone in March 1991. During the ensuing armed conflict, the RUF forces were also referred to as "RUF", "rebels" and "People's Army".
- 5. The CDF was comprised of Sierra Leonean traditional hunters, including the Kamajors, Gbethis, Kapras, Tamaboros and Donsos. The CDF fought against the RUF and AFRC.
- 6. On 30 November 1996, in Abidjan, Ivory Coast, FODAY SAYBANA SANKOH and Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, signed a peace agreement which brought a temporary cessation to active hostilities. Thereafter, the active hostilities recommenced.
- 7. The AFRC was founded by members of the Armed Forces of Sierra Leone who seized power from the elected government of the Republic of Sierra Leone via a coup d'état on 25 May 1997. Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership. On that date JOHNNY PAUL KOROMA aka JPK became the leader and Chairman of the AFRC. The AFRC forces were also referred to as "Junta", "soldiers", "SLA", and "ex-SLA".
- 8. Shortly after the AFRC seized power, at the invitation of JOHNNY PAUL KOROMA, and upon the order of FODAY SAYBANA SANKOH, leader of the RUF, the RUF joined with the AFRC. The AFRC and RUF acted jointly thereafter. The AFRC/RUF

Junta forces (Junta) were also referred to as “Junta”, “rebels”, “soldiers”, “SLA”, “ex-SLA” and “People’s Army”.

9. After the 25 May 1997 coup d’état, a governing body, the Supreme Council, was created within the Junta. The governing body included leaders of both the AFRC and RUF.
10. The Junta was forced from power by forces acting on behalf of the ousted government of President Kabbah about 14 February 1998. President Kabbah’s government returned in March 1998. After the Junta was removed from power the AFRC/RUF alliance continued.
11. On 7 July 1999, in Lomé, Togo, FODAY SAYBANA SANKOH and Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, signed a peace agreement. However, active hostilities continued.
12. The **ACCUSED** and all members of the organized armed factions engaged in fighting within Sierra Leone were required to abide by International Humanitarian Law and the laws and customs governing the conduct of armed conflicts, including the Geneva Conventions of 12 August 1949, and Additional Protocol II to the Geneva Conventions, to which the Republic of Sierra Leone acceded on 21 October 1986.
13. All offences alleged herein were committed within the territory of Sierra Leone after 30 November 1996.
14. All acts and omissions charged herein as Crimes Against Humanity were committed as part of a widespread or systematic attack directed against the civilian population of Sierra Leone.
15. The words civilian or civilian population used in this Indictment refer to persons who took no active part in the hostilities, or who were no longer taking an active part in the hostilities.

INDIVIDUAL CRIMINAL RESPONSIBILITY

16. Paragraphs 1 through 15 are incorporated by reference.

- 17. In the late 1980's **CHARLES GHANKAY TAYLOR** received military training in Libya from representatives of the Government of MU'AMMAR AL-QADHAFI. While in Libya the **ACCUSED** met and made common cause with FODAY SAYBANA SANKOH.
- 18. While in Libya, the **ACCUSED** formed or joined the National Patriotic Front of Liberia (NPFL). At all times relevant to this Indictment the **ACCUSED** was the leader of the NPFL and/or the President of the Republic of Liberia.
- 19. In December 1989 the NPFL, led by the **ACCUSED**, began conducting organized armed attacks in Liberia. The **ACCUSED** and the NPFL were assisted in these attacks by FODAY SAYBANA SANKOH and his followers.
- 20. To obtain access to the mineral wealth of the Republic of Sierra Leone, in particular the diamond wealth of Sierra Leone, and to destabilize the State, the **ACCUSED** provided financial support, military training, personnel, arms, ammunition and other support and encouragement to the RUF, led by FODAY SAYBANA SANKOH, in preparation for RUF armed action in the Republic of Sierra Leone, and during the subsequent armed conflict in Sierra Leone.
- 21. Throughout the course of the armed conflict in Sierra Leone, the RUF and the AFRC/RUF alliance, under the authority, command and control of FODAY SAYBANA SANKOH, JOHNNY PAUL KOROMA and other leaders of the RUF, AFRC and AFRC/RUF alliance, engaged in notorious, widespread or systematic attacks against the civilian population of Sierra Leone.
- 22. At all times relevant to this Indictment, **CHARLES GHANKAY TAYLOR** supported and encouraged all actions of the RUF and AFRC/RUF alliance, and acted in concert with FODAY SAYBANA SANKOH and other leaders of the RUF and AFRC/RUF alliance. FODAY SAYBANA SANKOH was incarcerated in Nigeria and Sierra Leone and subjected to restricted movement in Sierra Leone from about March 1997 until about April 1999. During this time the **ACCUSED**, in concert with FODAY SAYBANA SANKOH, provided guidance and direction to the RUF, including SAM BOCKARIE aka MOSQUITO aka MASKITA.

23. The RUF and the AFRC shared a common plan, purpose or design (joint criminal enterprise) which was to take any actions necessary to gain and exercise political power and control over the territory of Sierra Leone, in particular the diamond mining areas. The natural resources of Sierra Leone, in particular the diamonds, were to be provided to persons outside Sierra Leone in return for assistance in carrying out the joint criminal enterprise.

24. The joint criminal enterprise included gaining and exercising control over the population of Sierra Leone in order to prevent or minimize resistance to their geographic control, and to use members of the population to provide support to the members of the joint criminal enterprise. The crimes alleged in this Indictment, including unlawful killings, abductions, forced labour, physical and sexual violence, use of child soldiers, looting and burning of civilian structures, were either actions within the joint criminal enterprise or were a reasonably foreseeable consequence of the joint criminal enterprise.

25. The **ACCUSED** participated in this joint criminal enterprise as part of his continuing efforts to gain access to the mineral wealth of Sierra Leone and to destabilize the Government of Sierra Leone.

26. **CHARLES GHANKAY TAYLOR**, by his acts or omissions, is individually criminally responsible pursuant to Article 6.1. of the Statute for the crimes referred to in Articles 2, 3 and 4 of the Statute as alleged in this Indictment, which crimes the **ACCUSED** planned, instigated, ordered, committed or in whose planning, preparation or execution the **ACCUSED** otherwise aided and abetted, or which crimes were within a joint criminal enterprise in which the **ACCUSED** participated or were a reasonably foreseeable consequence of the joint criminal enterprise in which the **ACCUSED** participated.

27. In addition, or alternatively, pursuant to Article 6.3. of the Statute, **CHARLES GHANKAY TAYLOR**, while holding positions of superior responsibility and exercising command and control over his subordinates, is individually criminally responsible for the crimes referred to in Articles 2, 3 and 4 of the Statute. The **ACCUSED** is responsible for the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so

and the **ACCUSED** failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

CHARGES

- 28. Paragraphs 16 through 27 are incorporated by reference.
- 29. At all times relevant to this Indictment, members of the RUF, AFRC, Junta and/or AFRC/RUF forces (AFRC/RUF), supported and encouraged by, acting in concert with and/or subordinate to **CHARLES GHANKAY TAYLOR**, conducted armed attacks throughout the territory of the Republic of Sierra Leone, including, but not limited, to Bo, Kono, Kenema, Bombali and Kailahun Districts and Freetown. Targets of the armed attacks included civilians and humanitarian assistance personnel and peacekeepers assigned to the United Nations Mission in Sierra Leone (UNAMSIL), which had been created by United Nations Security Council Resolution 1270 (1999).
- 30. These attacks were carried out primarily to terrorize the civilian population, but also were used to punish the population for failing to provide sufficient support to the AFRC/RUF, or for allegedly providing support to the Kabbah government or to pro-government forces. The attacks included unlawful killings, physical and sexual violence against civilian men, women and children, abductions and looting and destruction of civilian property. Many civilians saw these crimes committed; others returned to their homes or places of refuge to find the results of these crimes – dead bodies, mutilated victims and looted and burnt property.
- 31. As part of the campaign of terror and punishment the AFRC/RUF routinely captured and abducted members of the civilian population. Captured women and girls were raped; many of them were abducted and used as sex slaves and as forced labour. Some of these women and girls were held captive for years. Men and boys who were abducted were also used as forced labour; some of them were also held captive for years. Many abducted boys and girls were given combat training and used in active fighting. AFRC/RUF also physically mutilated men, women and children, including amputating their hands or feet and carving “AFRC” and “RUF” on their bodies.

COUNTS 1 – 2: TERRORIZING THE CIVILIAN POPULATION AND COLLECTIVE PUNISHMENTS

32. Members of the AFRC/RUF supported and encouraged by, acting in concert with and/or subordinate to **CHARLES GHANKAY TAYLOR** committed the crimes set forth below in paragraphs 33 through 58 and charged in Counts 3 through 13, as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone, and did terrorize that population. The AFRC/RUF also committed the crimes to punish the civilian population for allegedly supporting the elected government of President Ahmed Tejan Kabbah and factions aligned with that government, or for failing to provide sufficient support to the AFRC/RUF.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 1: Acts of Terrorism, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.d. of the Statute;

And:

Count 2: Collective Punishments, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.b. of the Statute.

COUNTS 3 – 5: UNLAWFUL KILLINGS

33. Victims were routinely shot, hacked to death and burned to death. Unlawful killings included, but were not limited to, the following:

Bo District

34. Between 1 June 1997 and 30 June 1997, AFRC/RUF attacked Tikonko, Telu, Sembehun, Gerihun and Mamboma, unlawfully killing an unknown number of civilians;

Kenema District

35. Between about 25 May 1997 and about 19 February 1998, in locations including Kenema town, members of AFRC/RUF unlawfully killed an unknown number of civilians;

Kono District

36. About mid February 1998, AFRC/RUF fleeing from Freetown arrived in Kono District. Between about 14 February 1998 and 30 June 1998, members of AFRC/RUF unlawfully killed several hundred civilians in various locations in Kono District, including Koidu, Tombodu, Foindu, Willifeh, Mortema and Biaya;

Bombali District

37. Between about 1 May 1998 and 31 July 1998, in locations including Karina, members of AFRC/RUF unlawfully killed an unknown number of civilians;

Freetown

38. Between 6 January 1999 and 31 January 1999, AFRC/RUF conducted armed attacks throughout the city of Freetown. These attacks included large scale unlawful killings of civilian men, women and children at locations throughout the city, including the State House, Parliament building, Connaught Hospital, and the Kissy, Fourah Bay, Ugun, Calaba Town and Tower Hill areas of the city.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 3: Extermination, a **CRIME AGAINST HUMANITY**, punishable under Article 2.b. of the Statute;

In addition, or in the alternative:

Count 4: Murder, a **CRIME AGAINST HUMANITY**, punishable under Article 2.a. of the Statute;

In addition, or in the alternative:

Count 5: Violence to life, health and physical or mental well-being of persons, in particular murder, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.a. of the Statute.

COUNTS 6 – 8: SEXUAL VIOLENCE

39. Widespread sexual violence committed against civilian women and girls included brutal rapes, often by multiple rapists. Acts of sexual violence included, but were not limited to, the following:

Kono District

40. Between about 14 February 1998 and 30 June 1998, members of AFRC/RUF raped hundreds of women and girls at various locations throughout the District, including Koidu, Tombodu, Kissi-town (or Kissi Town), Foendor (or Foendu), Tomendeh, Fokoiya, Wonedu and AFRC/RUF camps such as “Superman camp” and Kissi-town (or Kissi Town) camp. An unknown number of women and girls were abducted from various locations within the District and used as sex slaves;

Bombali District

41. Between about 1 May 1998 and 31 July 1998, members of AFRC/RUF raped an unknown number of women and girls in locations such as Mandaha. In addition, an unknown number of abducted women and girls were used as sex slaves;

Kailahun District

42. At all times relevant to this Indictment, an unknown number of women and girls in various locations in the District were subjected to sexual violence. Many of these victims were captured in other areas of the Republic of Sierra Leone, brought to AFRC/RUF camps in the District, and used as sex slaves;

Freetown

43. Between 6 January 1999 and 31 January 1999, members of AFRC/RUF raped hundreds of women and girls throughout the Freetown area, and abducted hundreds of women and girls and used them as sex slaves.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 6: Rape, a **CRIME AGAINST HUMANITY**, punishable under Article 2.g. of the Statute;

And:

Count 7: Sexual slavery and any other form of sexual violence, a **CRIME AGAINST HUMANITY**, punishable under Article 2.g. of the Statute;

In addition, or in the alternative:

Count 8: Outrages upon personal dignity, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.e. of the Statute.

COUNTS 9 – 10: PHYSICAL VIOLENCE

44. Widespread physical violence, including mutilations, was committed against civilians. Victims were often brought to a central location where mutilations were carried out. These acts of physical violence included, but were not limited to, the following:

Kono District

45. Between about 14 February 1998 and 30 June 1998, AFRC/RUF mutilated an unknown number of civilians in various locations in the District, including Tombodu, Kaima (or Kayima) and Wonedu. The mutilations included cutting off limbs and carving “AFRC” and “RUF” on the bodies of the civilians;

Freetown

46. Between 6 January 1999 and 31 January 1999, AFRC/RUF mutilated an unknown number of civilian men, women and children in various areas of Freetown, including the northern and eastern areas of the city, and the Kissy area, including the Kissy mental hospital. The mutilations included cutting off limbs.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 9: Violence to life, health and physical or mental well-being of persons, in particular cruel treatment, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.a. of the Statute;

In addition, or in the alternative:

Count 10: Other inhumane acts, a **CRIME AGAINST HUMANITY**, punishable under Article 2.i. of the Statute.

COUNT 11: USE OF CHILD SOLDIERS

47. At all times relevant to this Indictment, throughout the Republic of Sierra Leone, AFRC/RUF routinely conscripted, enlisted and/or used boys and girls under the age of 15 to participate in active hostilities. Many of these children were first abducted, then trained in AFRC/RUF camps in various locations throughout the country, and thereafter used as fighters.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 11: Conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities, an **OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW**, punishable under Article 4.c. of the Statute.

COUNT 12: ABDUCTIONS AND FORCED LABOUR

48. At all times relevant to this Indictment, AFRC/RUF engaged in widespread and large scale abductions of civilians and use of civilians as forced labour. Forced labour included domestic labour and use as diamond miners. The abductions and forced labour included, but were not limited to, the following:

Kenema District

49. Between about 1 August 1997 and about 31 January 1998, AFRC/RUF forced an unknown number of civilians living in the District to mine for diamonds at Cyborg Pit in Tongo Field;

Kono District

50. Between about 14 February 1998 and 30 June 1998, AFRC/RUF forces abducted hundreds of civilian men, women and children, and took them to various locations outside the District, or to locations within the District such as AFRC/RUF camps, Tombodu, Koidu, Wonedu, Tomendeh. At these locations the civilians were used as forced labour, including domestic labour and as diamond miners in the Tombodu area;

Bombali District

51. Between about 1 May 1998 and 31 July 1998, in Bombali District, AFRC/RUF abducted an unknown number of civilians and used them as forced labour;

Kailahun District

52. At all times relevant to this Indictment, captured civilian men, women and children were brought to various locations within the District and used as forced labour;

Freetown

53. Between 6 January 1999 and 31 January 1999, in particular as the AFRC/RUF were being driven out of Freetown, the AFRC/RUF abducted hundreds of civilians, including a large number of children, from various areas within Freetown, including Peacock Farm and Calaba Town. These abducted civilians were used as forced labour.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 12: Enslavement, a **CRIME AGAINST HUMANITY**, punishable under Article 2.c. of the Statute.

COUNT 13: LOOTING AND BURNING

54. At all times relevant to this Indictment, AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property. This looting and burning included, but was not limited to, the following:

Bo District

55. Between 1 June 1997 and 30 June 1997, AFRC/RUF forces looted and burned an unknown number of civilian houses in Telu, Sembehun, Mamboma and Tikonko;

Kono District

56. Between about 14 February 1998 and 30 June 1998, AFRC/RUF engaged in widespread looting and burning in various locations in the District, including Tombodu, Foindu and Yardu Sando, where virtually every home in the village was looted and burned;

Bombali District

57. Between 1 March 1998 and 30 June 1998, AFRC/RUF forces burned an unknown number of civilian buildings in locations such as Karina;

Freetown

58. Between 6 January 1999 and 31 January 1999, AFRC/RUF forces engaged in widespread looting and burning throughout Freetown. The majority of houses that were destroyed were in the areas of Kissy and eastern Freetown; other locations included the Fourah Bay, Upgun, State House and Pademba Road areas of the city.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 13: Pillage, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.f. of the Statute.

COUNTS 14 – 17: ATTACKS ON UNAMSIL PERSONNEL

59. Between about 15 April 2000 and about 15 September 2000, AFRC/RUF engaged in widespread attacks against UNAMSIL peacekeepers and humanitarian assistance workers within the Republic of Sierra Leone, including, but not limited to locations within Bombali, Kailahun, Kambia, Port Loko, and Kono Districts. These attacks included unlawful killing of UNAMSIL peacekeepers, and abducting hundreds of peacekeepers and humanitarian assistance workers who were then held hostage.

By his acts or omissions in relation, but not limited to these events, **CHARLES GHANKAY TAYLOR**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 14: Intentionally directing attacks against personnel involved in a humanitarian assistance or peacekeeping mission, an **OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW**, punishable under Article 4.b. of the Statute;

In addition, or in the alternative:

Count 15: For the unlawful killings, Murder, a **CRIME AGAINST HUMANITY**, punishable under Article 2.a. of the Statute;

In addition, or in the alternative:

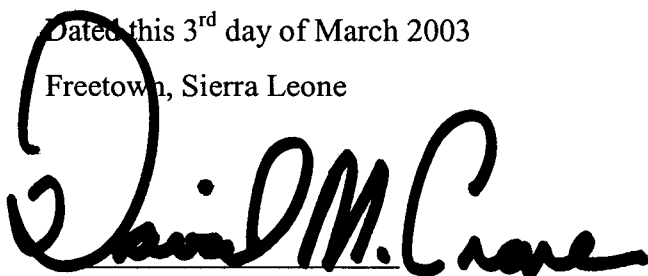
Count 16: Violence to life, health and physical or mental well-being of persons, in particular murder, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.a. of the Statute;

In addition, or in the alternative:

Count 17: For the abductions and holding as hostage, Taking of hostages, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.c. of the Statute.

Dated this 3rd day of March 2003

Freetown, Sierra Leone



David M. Crane

The Prosecutor



INVESTIGATOR'S STATEMENT

05 March 2003

I, **MORIE LENGOR**, Investigator in the Office of the Prosecutor, Special Court for Sierra Leone at 1A Scan Drive, Off Spur Road, Freetown, in the Western Area of the Republic of Sierra Leone affirmatively state as follows:

1. I work as an Investigator in the Office of the Prosecutor and I have due authority to make this statement.
2. I am also a professionally trained Policeman of the rank of Assistant Commissioner in the Sierra Leone Police Force where I have been working as a Policeman since 1980.
3. I have considerable experience in detecting and investigating crimes, having worked in the Criminal Investigations Department of the Sierra Leone Police Force for about 15 years during my career as a policeman.
4. Since November 2002, I have been working in the Office of the Prosecutor, Special Court for Sierra Leone, where my duties include investigating crimes against international humanitarian Law and Sierra Leonean Law committed within the territory of Sierra Leone from 30th November 1996, during the period of armed conflict in Sierra Leone.
5. The mandate of the investigations, as set forth in the Statute of the Special Court for Sierra Leone, is to investigate and prosecute those who bear the greatest responsibility for crimes within the jurisdiction of the Special Court.
6. Investigators from the Prosecutor's office including myself, conducted interviews and obtained statements and documents about atrocities committed during the armed conflict in Sierra Leone from victims, perpetrators and witnesses at locations including, Bo, Kenema, Kono, Bombali, Kailahun Districts and Freetown. Searches were also conducted and evidence collected from open sources such as the internet, newspaper and magazine reports, public statements, government publications, radio broadcasts, and UN Reports covering the relevant period.

7. The facts narrated in these statements, investigator's notes of interviews and in documents obtained generally reveal that atrocities against civilians within the jurisdiction of the Statute of the Special Court for Sierra Leone were widely committed in many parts of Sierra Leone after 30 November 1996. These atrocities included unlawful killings, physical and sexual violence, use of child soldiers, abductions, forced labour, looting and burning of civilian structures, and crimes against UNAMSIL personnel.
8. I have produced below a summary of facts from witness statements, interview notes and documents collected by investigators of the Office of the Prosecutor. These facts reveal as follows:

CHARGES

Counts 1 – 2: Terrorizing the Civilian Population and Collective Punishments

9. Evidence from victims and other eyewitnesses to the crimes charged below indicates that the crimes charged as Counts 3 – 13 in the Indictment caused terror among the civilian population, who were forced to flee from their homes, taken captive, brutally assaulted, murdered, forced to work and fight for their captors. These witnesses also state that those who committed these crimes against them often stated they were doing so because the civilian population was not giving enough support to the AFRC/RUF or because the civilians were alleged to have supported the Kabbah government or forces supporting the Kabbah government.

Counts 3 - 5: Unlawful Killings

Bo District

10. Statements from eyewitnesses, witnesses who saw the results of AFRC/RUF attacks and witnesses who heard about events from others indicate that in approximately May or June of 1997 AFRC/RUF attacked and killed unarmed civilians in the villages of Telu, Sembehun, Gerihun, Mamboma and Tikonko located in the Bo district. Some witnesses were present and saw or could hear the killing of civilian men and women in all of the villages. Also some witnesses saw the AFRC/RUF invading the village, fled into the

bush, and returned to find civilian villagers whom they knew shot and killed. Those killed included men and women in all of the villages and children in at least two of the villages. Several witnesses also heard from others in the village that people were killed by the AFRC/RUF fighters.

Kenema District

11. Statements of witnesses who saw killings, heard commands given by AFRC/RUF superiors, saw dead bodies or heard about events from others indicate that between about 25 May 1997 and about 19 February 1998 in Kenema District an unknown number of civilians were killed by AFRC/RUF. Witnesses were present at a meeting for the “Town elders”, called by Sam Bockarie aka Mosquito aka Maskita on 2 June 1997, when an AFRC/RUF official announced that the AFRC/RUF government would “close the eyes forever” of anyone who did not cooperate and that the commanders of AFRC/RUF discussed the arrest of town elders believed to be supporting the Kamajors. In the following weeks, during attacks at Kenema, AFRC/RUF forces killed several civilians alleged to be Kamajors or their supporters, and looted and burned their houses as well as houses of prominent residents of Kenema. Victims and witnesses stated that in October and December 1997 and in January 1998 some town elders were arrested, held in detention and beaten. Statements from witnesses with personal knowledge show that some of these prominent town citizens were later killed. These killings include a group of about 10 prominent residents of Kenema town who were executed about 8 February 1998 for allegedly supporting the Kamajors. Witnesses saw or heard that during the incidents in January and February 1998, Sam Bockarie aka Mosquito aka Maskita was in charge of the AFRC/RUF at Kenema town and that he personally ordered criminal acts including killings.

Kono District

12. Statements from witnesses, many of them residents of Kono District who saw the crimes committed, or saw the dead bodies after the AFRC/RUF attacks, indicate that throughout Kono District, in such locations as Koidu, Tombodu, Mortema, Foendor (or Foindu), Biaya, Wonedu, and Wilifeh, AFRC/RUF killed civilians. These killings occurred during the period from about mid February 1998 to 30 April 1998. Some of the witnesses

were present during these killings, which included death by shooting and by burning civilians alive in their homes.

Bombali

13. Statements from eye witnesses and other witnesses show that between about May 1998 and July 1998, AFRC/RUF carried out attacks in Bombali District, in locations including Karina village. During the course of such attacks, eye witnesses observed the killing of civilians. Other witnesses who fled during these attacks returned and found dead bodies.

Freetown

14. Witnesses state that the AFRC/RUF attacked Freetown on 6 January 1999, entering first into the eastern suburbs of Calaba town, and proceeding to Wellington and Kissy before entering central Freetown. The witness statements are from people who personally saw the AFRC/RUF kill civilians, people who saw the bodies of victims of the attack, or who heard from others that AFRC/RUF had killed civilians. Witness statements indicate that the AFRC/RUF killed civilians either by shooting them, hacking them to death or burning them alive. Witnesses indicate that these attacks commenced on 6 January 1999 and continued through the month of January.

Counts 6 - 8: Sexual Violence

Kono District

15. Statements from victims, eye witnesses and other witnesses indicate that the AFRC/RUF committed widespread and brutal sexual violence between 15 February 1998 and 30 June 1998. According to eye witnesses, hundreds of women and girls were raped at various locations throughout the District, including Koidu, Tombodu, Foendor (or Foindu), Tomendeh, Fokoiya, Wonedu and AFRC/RUF camps such as "Superman camp" and Kissi-town (or Kissi Town) camp. Eye witness accounts also establish that hundreds of women and girls were abducted from various locations within the District and held at camps in and outside the District, where they were forcibly used as sex slaves and/or "bush wives", often under the threat of death or serious physical violence.

Bombali

16. Statements from eye witnesses, victims and other witnesses indicate that between 1 May 1998 and 31 July 1998, in Bombali District, AFRC/RUF forces captured a number of women and girls. They forced the women and girls to publicly undress and walk naked from one location to another. In locations such as Mandaha, AFRC/RUF forces routinely raped women and girls. In addition, AFRC/RUF men took these women and girls and used them as sex slaves or “bush wives”.

Kailahun

17. The evidence indicates that at the times relevant to this Indictment women and girls were subjected to sexual violence in this District. Many of these women and girls had been captured, brought to the District, and used there as sex slaves. According to eye witnesses and other witnesses, women and girls who were abducted from various parts of the country were taken to Kailahun, where AFRC/RUF forces were stationed. These girls and women were kept there under the threat of force. They were forced to do domestic work, for which they were not paid. AFRC/RUF men took many of these women and girls as “bush wives”, and used them as sex slaves.

Freetown

18. Statements from eye witnesses or witnesses who received the information from others, indicate that members of the AFRC/RUF raped, gang raped and/or performed other acts of sexual violence against women during their occupation and subsequent retreat from Freetown from 6 January 1999 through 31 January 1999. These statements are from the victims of these forms of sexual violence or from people that had first hand knowledge that these forms of sexual violence were occurring. Statements from eye witnesses also indicate that girls were abducted from Freetown during the retreat of the AFRC/RUF and forced to become sex slaves to members and commanders within the AFRC/RUF. Eye witness statements indicate that abductees were taken out of Freetown to various locations in the provinces, including but not limited to Port Loko and Makeni, where they were held for months by the AFRC/RUF and used as sex slaves.

Counts 9 - 10: Physical Violence

Kono District

19. Eye witness accounts by area residents show mass amputations of limbs carried out against civilians by AFRC/RUF during 15 February to 30 June 1998, often as punishment for alleged support for the government and under direct orders of AFRC/RUF leaders and senior commanders. Victims and eye witnesses also describe markings of AFRC/RUF upon the bodies of captured civilians by AFRC/RUF using razor blades, knives or pieces of metal.

Freetown

20. Eyewitnesses and other witnesses state that, during the invasion of Freetown which commenced on 6 January 1999, the AFRC/RUF intentionally amputated the limbs of civilians, both men, women and children, in or near eastern Freetown.

Count 11: Use of Child Soldiers

21. The evidence shows that between 1997 and 2000, AFRC/RUF used boys and girls under the age of 15 to fight or otherwise participate in the hostilities. Statements from witnesses, including child combatants themselves, indicate that AFRC/RUF abducted boys and girls under the age of 15 from locations throughout Sierra Leone, including Kono District and Freetown. Child victims, and even perpetrators, report that children were taken for military training to AFRC/RUF camps within Sierra Leone, including Kailahun. Statements from the victims themselves, perpetrators and other witnesses show that children seen with AFRC/RUF forces carried arms and participated in various attacks, including the attack on Freetown on 6 January 1999.

Count 12: Abductions and Forced Labour

Kenema

22. The evidence shows that between 1 August 1997 and 31 January 1998, AFRC/RUF forced civilians, including residents of Tongo Field, to mine diamonds for them at Cyborg Pit. Statements from witnesses, including victims and others with personal knowledge,

show that AFRC/RUF forces were in charge of Cyborg Pit. These witnesses detail how the AFRC/RUF forced civilians to mine diamonds for them. AFRC/RUF forces armed with guns periodically opened fire at the site.

Kono District

23. Statements from victims and witnesses with personal knowledge indicate that AFRC/RUF forces conducted widespread abductions of civilians throughout the District. According to eye witnesses, civilians were often forced to loot, find food and/or carry loads, following which they were taken to camps within and outside the District, including Tombodu, Kissi-town (or Kissi Town), Wonedu, Foendor (or Foindu), Kaima (or Kayima) and Buedu, in Kailahun District. Eye witness accounts establish that abducted civilians were subjected to forced labour, including mining and domestic labour, often under difficult conditions and the threat of death or physical harm.

Freetown

24. Eyewitness statements also indicate that the AFRC/RUF abducted civilians from Freetown during their retreat in late January and early February 1999 and forced them to carry looted goods, food and ammunition for the AFRC/RUF. Eyewitness statements also indicate that some civilians were held as forced labour by the AFRC/RUF for months at various locations in Sierra Leone.

Bombali

25. Statements from witnesses show that between about 1 May 1998 and 31 July 1998, AFRC/RUF forces abducted men, women and children from Bombali District, including Karina Village. Witnesses with personal knowledge of the events, including victims, state that AFRC/RUF forces kept the abductees with them for months. They used the abductees as forced labour, including carrying goods and domestic work.

Count 13: Looting and Burning

Bo

26. Statements from eye witnesses, witnesses who arrived to see the results of attacks, and witnesses who heard about events from others indicate that the AFRC/RUF burned and

looted houses in Telu, Sembehun, Mamboma and Tikonko in approximately May or June of 1997.

Kono

27. I have reviewed statements by District residents who witnessed looting and burning of hundreds of civilian owned houses and buildings throughout Kono District, including Tombodu, Komendeh, Foendor (or Foindu), Yardo Sando and Wonedu. Eye witnesses who returned after having fled attacks found their homes destroyed and towns and villages burnt completely. Other witnesses overheard direct orders from AFRC/RUF leaders and senior commanders to carry out such acts as punishment for supporting the government.

Bombali

28. Eye witnesses and other witnesses indicate that AFRC/RUF forces burned houses in Bomabali District, in locations including Karina, between 1 May 1998 and 31 January 1998.

Freetown

29. Statements from eyewitnesses, those who arrived to see the results of the attack, and witnesses who heard about events from others indicate that the AFRC/RUF burned and looted houses in the eastern and central areas of Freetown during the invasion and occupation of and subsequent retreat from Freetown between 6 January 1999 and 31 January 1999.

Counts 14 – 17: Attacks on UNAMSIL Personnel

30. The evidence shows that between the months of 15 April 2000 and 15 September 2000, AFRC/RUF forces attacked UNAMSIL peacekeepers and humanitarian assistance workers within the Republic of Sierra Leone, including locations within Bombali, Kailahun, Kambia, Port Loko, and Kono Districts. According to the evidence, these attacks included the unlawful killings of UNAMSIL peacekeepers, abductions of

hundreds of peacekeepers and humanitarian assistance workers who were then held hostage, and the unlawful seizure and destruction of UNAMSIL equipment.

I affirm that the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that wilfully and knowingly making false statements in this statement could result in proceedings before the Special Court for giving false testimony. I have not wilfully or knowingly made any false statements in this statement.



Morie Lengor

Senior Investigator, Task Force 1

Office of the Prosecutor

Special Court for Sierra Leone

INVESTIGATOR'S STATEMENT

05 March 2003

I, MORIE LENGOR, Investigator in the Office of the Prosecutor, Special Court for Sierra Leone at 1A Scan Drive, Off Spur Road, Freetown, in the Western Area of the Republic of Sierra Leone affirmatively state as follows:

1. I work as an Investigator in the Office of the Prosecutor and I have due authority to make this statement.
2. I am also a professionally trained Policeman of the rank of Assistant Commissioner in the Sierra Leone Police Force where I have been working as a Policeman since 1980.
3. I have had considerable experience in detecting and investigating crimes having worked in the Criminal Investigations Department of the Sierra Leone Police Force for about 15 years during my career as a policeman.
4. Since November 2002, I have been working in the Office of the Prosecutor, Special Court for Sierra Leone, where my duties include investigating crimes against international humanitarian Law and Sierra Leonean Law committed within the territory of Sierra Leone from 30th November 1996, during the period of armed conflict in Sierra Leone. My investigative duties include conducting interviews of persons who may appear as witnesses before the Special Court, and reviewing investigator notes and statements of such persons taken by other investigators in the Office of the Prosecutor.
5. I provide the following facts based on my duties as an investigator for the Office of the Prosecutor, Special Court for Sierra Leone, and on my previous experience as a Sierra Leonean police officer. These facts reveal as follows:
6. Members of the civilian population of Sierra Leone who may be called upon to appear as witnesses before the Special Court have expressed concern regarding their safety and security if it becomes known that they are co-operating with the Special Court, especially

if their identities are revealed to the general public, or to a suspect or accused, before appropriate protective measures can be put in place.

7. These potential witnesses point out that the Government of Sierra Leone is not actively prosecuting those who actually carried out crimes such as those alleged in the Indictments presented for confirmation. As a result, these potential witnesses live among these perpetrators, and fear retaliation from them if the potential witness' identity becomes known to the public. This fear is heightened by the fact that many of the perpetrators now serve as members of the Armed Forces of Sierra Leone.
8. Potential witnesses have expressed fear of reprisals not only from those who actually carried out the crimes, but also from relatives and friends of the Accused, from those who are associated with the Accused, and from those who support the causes or factions the Accused represent.
9. The fears expressed are genuine and, in my opinion, are well founded, especially considering that many of the potential witnesses live in remote areas without any police presence or other semblance of security.
10. I believe that it is essential for the safety and security of these potential witnesses, their family members and for the work of the Special Court that the identifying data regarding these persons be withheld from the public and not be disclosed to any suspect or accused until such time as appropriate protective measures are in place.

I, MORIE LENGOR, affirm that the information contained herein is true and accurate to the best of my knowledge and belief. I understand that wilfully and knowingly making false statements in this statement could result in proceedings before the Special Court for giving false testimony. I have not wilfully or knowingly made any false statements in this statement.


Morie Lengor

Senior Investigator, Task Force 1

Office of the Prosecutor

Special Court for Sierra Leone



SPECIAL COURT FOR SIERRA LEONE
125 JOMO KENYATTA ROAD • NEW ENGLAND • FREETOWN, SIERRA LEONE

Before: Judge Geoffrey Robertson
Registry: Robin Vincent
Date: 7 March 2003

THE PROSECUTOR

v.

**CHARLES GHANKAY TAYLOR also known as
CHARLES CHANKAY MACARTHUR DAPKPANA TAYLOR**
Case No. SCSL-2003-01-I

**ORDER DESIGNATING A RULE 28 JUDGE AND AUTHORISING THE
EXERCISE OF HIS FUNCTIONS AWAY FROM THE SEAT OF THE SPECIAL
COURT**

1. Pursuant to Rule 28 of the Rules of Procedure and Evidence of the Special Court, I, Geoffrey Robertson QC, designate Judge Bankole Thompson as the Judge to whom all indictments, arrest warrants and orders shall be directed on March 7th 2003.
2. Pursuant to Rule 4 of the said Rules, I authorise him to exercise his functions in London, i.e. away from the seat of the Special Court.

Geoffrey Robertson, QC

7 March 2003

SCSL-2003-01-I
GTP DRAFT ORDER



SPECIAL COURT FOR SIERRA LEONE

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FAX: Extension: 178 7001 or +39 0831 257001 Extension: 174 6996 or +232 22 295996

Before: Judge _____

Registry: Mr. Robin Vincent

Decision of: ___ March 2003

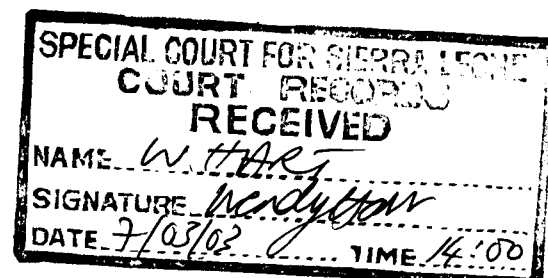
THE PROSECUTOR

Against

**CHARLES GHANKAY TAYLOR also known as
CHARLES GHANKAY MACARTHUR DAPKANA TAYLOR**

CASE NO. SCSL - 03 - - I

**DECISION CONFIRMING THE INDICTMENT
and
ORDER FOR NON-DISCLOSURE**



THE SPECIAL COURT FOR SIERRA LEONE (the Court),

SITTING AS Judge _____, designated by the President of the Special Court according to Rule 28 of the Rules of Procedure and Evidence (“the Rules”);

HAVING RECEIVED on ___ March 2003 from the Prosecutor the enclosed Indictment against **CHARLES GHANKAY TAYLOR** also known as **CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR** and supporting materials, pursuant to Rule 47 of the Rules;

[if needed] HAVING HEARD the Prosecutor during the review held on ___ March 2003 under Rule 47(D) of the Rules;

BEING SATISFIED from the material tendered by the Prosecutor that there is sufficient evidence to provide reasonable grounds for believing that the suspect has committed crimes within the jurisdiction of the Court;

HEREBY

CONFIRMS the Indictment submitted by the Prosecutor against **CHARLES GHANKAY TAYLOR** in respect to each and every count.

TAKES NOTE of the Prosecutor’s request that a Warrant of Arrest and Order for Transfer and Detention be issued against **CHARLES GHANKAY TAYLOR**.

ORDERS, pursuant to Rule 53 of the Rules and after consultation with the Prosecutor, that there be no public disclosure of the Indictment or any part thereof or information pertaining to the Indictment, and the Warrant of Arrest and Order for Transfer and Detention until further order by the Court or at the discretion of the Prosecutor.

DIRECTS the Registrar, in accordance with Rule 55(B) of the Rules, to serve this Decision and the Court’s Warrant of Arrest and Order for Transfer and Detention of the Accused on the Government of Sierra Leone.

Done in London, this ___ day of March 2003.

Signed Judge

SCSL - 2003 - 01 - I
OTP DRAFT ORDER



SPECIAL COURT FOR SIERRA LEONE

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Before: Judge _____

Registry: Mr. Robin Vincent

Decision of: ___ March 2003

THE PROSECUTOR

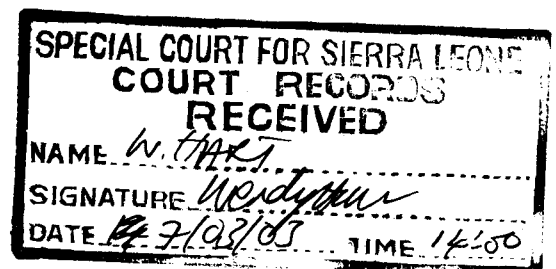
Against

**CHARLES GHANKAY TAYLOR also known as
CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR**

CASE NO. SCSL - 03 - - I

**WARRANT OF ARREST AND ORDER FOR TRANSFER
AND DETENTION**

To: The Government of _____.



1. THE SPECIAL COURT FOR SIERRA LEONE (the Court),

SITTING AS Judge _____, designated by the President of the Court according to Rule 28 of the Rules of Procedure and Evidence (the Rules);

CONSIDERING that the Indictment against Charles Ghankay Taylor (the Accused) was confirmed by the Court on _____;

CONSIDERING that an Order for the Non-Disclosure was granted on _____;

2. HEREBY ORDERS the Government of _____ to:

(A) **search for, arrest and transfer** to the Court:

**CHARLES GHANKAY TAYLOR also known as
CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR**

a citizen of Liberia, born 28 January 1 1948 at Arthington in the Republic of Liberia, who is accused of Crimes against Humanity, violations of Article 3 common to the Geneva Conventions and of Additional Protocol II, and other Serious Violations of International Humanitarian Law;

(B) have a member of the Office of the Prosecutor present from the time of arrest;

(C) in coordination with the Registry, serve on the Accused, at the time of his arrest, or as soon as is practicable immediately following his arrest, in English or have read to him in a language he understands, a certified copy of the Warrant of Arrest, a certified copy of the Indictment, a statement of the rights of the Accused and a caution the Accused that any statement made by him shall be recorded and may be used as evidence against him;

(D) promptly notify the Registrar of the Court of the arrest of the Accused for the purposes of effectuating his transfer to the custody of the Court, and to surrender the Accused to the Court without delay;

(E) assist and facilitate the Office of the Prosecutor, at any location, in the search for and seizure of all evidence related to the crimes alleged to have been committed by the Accused;

(F) identify and locate assets owned by the Accused located within the territory of _____ and adopt provisional measures to freeze such assets without prejudice to the rights of third parties;

(G) not disclose to the public, including the media or any public record, the existence of the Indictment and this Warrant of Arrest, or any part thereof or information pertaining to the Indictment and this Warrant for Arrest until further order of the Court or at the direction of the Prosecutor;

(H) if the Government of _____ unable to immediately execute the present Warrant of Arrest and Order for Transfer, as requested, the Government of _____ is requested to indicate the reason for its inability to give effect thereto.

3. THE COURT further ORDERS that the Accused, **CHARLES GHANKAY TAYLOR**, be remanded into the custody of a detention facility, as determined by the Registrar, immediately upon his transfer to the Court.

Done in London, this ____ day of March 2003.

Signed Judge